

Remarks

I would like to thank Examiner Hunter for the telephone interview held May 22, 2001 regarding the above-identified patent application.

New Claim 20

During the interview, Examiner Hunter and I discussed a proposed claim 20 that I had faxed him that was drafted to define around the patent to Wheeler. Wheeler had been used as the basis for rejecting previous claims. However, as I pointed out to the Examiner, Wheeler shows extensible end posts for holding the ends of a volleyball net, and not a singles stick for use with a tennis net that is already strung between a set of end posts. My proposed claim 20 was written to clearly define around Wheeler by limiting the claimed subject matter to a singles stick for a tennis net.

In reviewing claim 20, Examiner Hunter suggested certain clarifying changes therein, primarily deletions of some of the text which the Examiner thought to be superfluous. The changes suggested by the Examiner have been generally adopted and placed in claim 20 submitted herewith. The Examiner indicated at the interview that he believed claim 20 to be patentable over the prior art, though he later called back to let me know that his indication of allowability was subject to review and approval by his supervisor.

In reviewing claim 20, the claim is now clearly limited to a singles stick for use with a tennis net, with the tennis net being recited as being strung between two end posts such that the claimed singles stick must be something other than an end post.

In addition, note the language in subparagraph (c) of the claim, which states the following:

"the combined length of the base and staff in the locked extended position thereof is sufficiently long to permit the base and staff to be wedged between the top support cord or cable of the tennis net with the base and staff being held in place soley by downward force from the top support cord or cable forcing the base and staff into engagement with the ground, and wherein the base and staff can be wedged between the top support cord or cable and the ground at a location between a singles line and doubles line on one side of the tennis court and when so wedged the combined length of the base and staff will raise the top support cord or cable of the tennis net by an amount required to provide a height that conforms to singles play rules".

This clearly defines over Wheeler's end posts, which do not wedge between the top support cord or cable of the net and the ground, which are not placed between a singles line and doubles line on one side of the tennis court, and whose length has nothing to do with raising the top support cord or cable of a tennis net by an amount required to provide a height that conforms to singles play rules.

Accordingly, claim 20 is allowable.

Amended Claim 11

As I indicated to the Examiner during the interview, claim 11 has been amended similarly to claim 20. Accordingly, amended claim 11, and claims 12-14 dependent therefrom, are allowable for the same reasons pertaining to the allowability of claim 20.

Claims 15-19

Claims 15-19 have been canceled as being unnecessary in view of the pending allowance of the above noted claims.

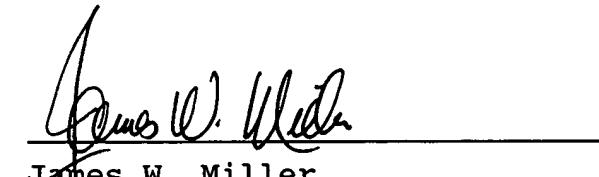
Amended Claim 1

Finally, claim 1 has been amended to incorporate the subject matter of claim 9, which Examiner Hunter indicated in the first Office Action would be allowable. Claim 1 as amended is simply an independent version of claim 9. Accordingly, claim 1, and claims 2-8 and 10 which are dependent therefrom, are also allowable.

Conclusion

All of the claims remaining in this application are believed to clearly define over the prior art of record. Accordingly, prompt reconsideration and allowance of the present application are respectfully requested.

Respectfully submitted,



---

June 8, 2001

James W. Miller  
Registration No. 27,661  
Suite 1005  
Foshay Tower  
821 Marquette Avenue  
Minneapolis, MN 55402

Telephone (612) 338-5915



Marked Up Version of Amended Claim 1

1. (Once Amended) A singles stick for holding the top edge of a tennis net at its regulation height above the ground for singles play, which comprises:

(a) a base and a staff which are slidably connected to one another such that the base and staff can be extended between an extended position and a collapsed position by sliding the base and staff relative to one another, wherein the base and staff have a combined length in the extended position to properly position the tennis net for singles play when the singles stick is installed between the top edge of the net and the ground, and wherein the base and staff have a combined length in the collapsed position which is shorter than the combined length of the base and staff in the extended position and which does not exceed approximately 30 inches; and

(b) a lock for releasably holding the base and staff together in at least the extended position of the base and staff.



Marked Up Version of Amended Claim 11

11. (Once Amended) A singles stick for holding the top edge of a tennis net at its regulation height above the ground for singles play, the tennis net comprising a top support cord or cable forming a top edge of the net, a mesh-like net fabric suspended from the top support cord or cable, wherein the top support cord or cable of the tennis net is strung under tension between two end posts, which comprises:

(a) a plurality of telescopically received sections including at least one first, hollow section into which a second section is telescopically received such that the first and second sections can be extended between an extended orientation and a collapsed orientation by telescoping the first and second sections relative to one another, [wherein the first and] [second sections have a combined length in the extended] [orientation to properly position the tennis net for singles] [play when the singles stick is installed between the top edge] [of the net and the ground, and wherein the first and second] [sections have a combined length in the collapsed orientation] [which is shorter than the combined length of the first and] [second sections in the extended orientation]; [and]

(b) a lock for releasably holding the [base and] [staff] telescopic sections together in at least the extended position[ of the base and staff]; and

(c) wherein the combined length of the telescopic sections in the locked extended position thereof is sufficiently long to permit the telescopic sections to be wedged between the top support cord or cable of the tennis net with the telescopic sections being held in place soley by downward force

from the top support cord or cable forcing the telescopic sections into engagement with the ground, and wherein the telescopic sections can be wedged between the top support cord or cable and the ground at a location between a singles line and doubles line on one side of the tennis court and when so wedged the combined length of the telescopic sections will raise the top support cord or cable of the tennis net by an amount required to provide a height that conforms to singles play rules.